

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**REENA S. MATHEW,**

*Plaintiff,*

**VS.**

**SANTANDER CONSUMER USA INC.,**

*Defendant.*

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**CIVIL ACTION NO. 3:23-CV-01494-N**

**DEFENDANT’S OPPOSED EMERGENCY MOTION  
FOR SETTLEMENT CONFERENCE**

**TO THE CHIEF UNITED STATES DISTRICT JUDGE DAVID C. GODBEY:**

Defendant Santander Consumer USA, Inc. (“Santander”) hereby files this Emergency Motion for Settlement Conference (“Motion”), pursuant to Rule 16(a)(5) of the Federal Rules of Civil Procedure and LR 16.3(b) of the Local Civil Rules for the Northern District of Texas, and would respectfully request the Court set this case for a settlement conference with Chief United States District Judge David C. Godbey or United States Magistrate Judge Brian McKay during the week of February 17, 2025.

**I.**

Trial in this case is currently set for March 3, 2025. The parties have not participated in a mediation since this lawsuit was filed.<sup>1</sup> It is Santander’s perspective that a settlement conference with a federal judge at this juncture would be beneficial to both parties and the Court, and it would be more productive than the parties’ proceeding to a private mediation based on Mathew’s having

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<sup>1</sup> Santander and Plaintiff Reena Mathew (“Mathew”) participated in a voluntary mediation prior to the inception of this lawsuit, while Mathew’s charge before the U.S. Equal Employment Opportunity Commission was pending and before Mathew was represented by counsel.

previously demanded that Santander meet certain pre-mediation conditions before she would agree to mediate.

## II.

Rule 16(a)(5) of the Federal Rules of Civil Procedure provides that, “[i]n any action, the court may order the attorneys and any unrepresented parties to appear for one or more pretrial conferences for such purposes as: . . . facilitating settlement.” Fed. R. Civ. P. 16(a)(5). Similarly, LR 16.3(b) of the Local Civil Rules for the Northern District of Texas, entitled “**Settlement Conferences**” states that “[a] judge will be available for settlement discussions.”

Santander is confident that it would prevail in this case should it proceed to trial. Mathew has conveyed her confidence that she would prevail at trial. Mathew has just indicated her intention to seek reconsideration of the Court’s recent summary judgment memorandum and opinion, which will cause the parties to incur additional litigation fees and possibly cause a delay of the current trial setting. Santander believes that a settlement conference before Judge Godbey or Judge McKay, to occur next week or shortly thereafter, would provide the best opportunity for the parties and their counsel to explore the prospect of settlement and receive neutral insight on their respective cases.

As trial in this case is set for March 3, 2025, this Motion is being filed as an emergency motion.

## **PRAYER**

For the foregoing reasons, Santander respectfully request that the Court grant this Motion, and require the parties and their counsel to appear for a settlement conference with Judge Godbey or Judge McKay during the week of February 17, 2025, or shortly thereafter.

Respectfully submitted,

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*Counsel for Defendant  
Santander Consumer USA Inc.*

### **CERTIFICATE OF CONFERENCE**

On February 10, 2025, I conferred with Donald Uloth, Plaintiff's counsel, regarding the relief sought in this Motion. Mr. Uloth communicated that he is opposed to the relief sought herein.

Monte K. Hurst  
Monte K. Hurst

### **CERTIFICATE OF SERVICE**

On February 10, 2025, I filed the foregoing document with the Clerk of the Court of the U.S. District Court for the Northern District of Texas. I hereby certify that I have served the document on Plaintiff's counsel as follows in compliance with Rule 5(b) of the Federal Rules of Civil Procedure:

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